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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,865	11/26/2003	Peter Chan	139764SV/YOD GEMS:0253	9699
68174	7590	07/15/2010	EXAMINER	
GE HEALTHCARE c/o FLETCHER YODER, PC P.O. BOX 692289 HOUSTON, TX 77269-2289			SWARTHOUT, BRENT	
			ART UNIT	PAPER NUMBER
			2612	
			MAIL DATE	DELIVERY MODE
			07/15/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/723,865	Applicant(s) CHAN, PETER	
	Examiner Brent A. Swarhout	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,11-12,14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medema et al. in view of Roman et al. and De La Torre-Bueno.

Medema discloses a medical communications system for remotely monitoring a medical device from a central station comprising a medical device 12, transceiver 21 and wireless network 16 coupled to device 12 for sending/receiving operation data to a service center 18 and receiving command information from the center, satellite based positioning system (col. 5, line 24) for determining position of medical device, except for specifically stating that medical device is an imaging system or that image data is transmitted to a remote site.

Roman teaches desirability of monitoring an imaging device from a central station (abstract; col. 1, lines 20-35).

De La Torre-Bueno teaches desirability of sending medical imaging data obtained from a medical imaging device to a remote site (col. 4, lines 3-14).

It would have been obvious to one of ordinary skill in the art to monitor an imaging device as set forth by Roman and to wirelessly transmit imaging data from an imaging device as suggested by De La Torre-Bueno to a remote station such as disclosed by Medema, in order to allow a remote location to determine the location of the imaging device, in case it was necessary to dispatch service personnel to perform

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maintenance, and to allow specific patient diagnostic information to be monitored remotely to avoid having to travel to a patient location to determine treatment .

Regarding claim 2, Roman teaches mounting medical device on a vehicle (col. 1, line 26).

Regarding claim 12, Medema teaches sending operational data to service center (col. 8, lines 15-25).

Regarding claim 14, Medema teaches use of polling in a medical device monitoring system (col. 13, line 8).

Regarding claim 15, Roman teaches monitoring an MRI device (col. 1, line 30).

Regarding claim 16, since Roman teaches monitoring cooling of MRI device, where cooling material is liquid helium (col. 1, line 31), choosing to use a helium meter would have been obvious in order to tell whether coolant level was at desired level or not.

Regarding claim 17, Medema teaches desirability of encoding operational data (col. 4, line 17). Choosing to use a specific known coding format, such as hexadecimal, would have been obvious, merely depending on type of data and security level that was associated with the system.

Regarding claim 18, Medema teaches transmission of both location and operational data to a remote center (col. 6, lines 15-20; col. 7, line 64).

Regarding claim 19, since Medema teaches use of wireless transmission system 16, choosing to use a system using low orbit satellites would have been obvious, since this is a conventional wireless network infrastructure.

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2. Claims 3-10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medema et al. in view of Roman et al., De La Torre-Bueno and Miyauchi et al.

Medema and, De La Torre-Bueno and Roman disclose an imaging system monitoring system as set forth above, except for specifically stating that imaging information at a monitor of the imaging system is provided to a display at a service center.

Miyauchi discloses desirability of providing data at an imaging system display 22B to a display 32B at a service center (col. 4, lines 39-50).

It would have been obvious to provide data at an imaging device at a remote location as disclosed by Miyauchi in conjunction with a system as set forth by Medema, De La Torre-Bueno and Roman, in order to allow service personnel to try and correct problems which were occurring at an imaging device that were known to users at the device.

Regarding claim 4, Roman teaches use of MRI device monitoring (col. 1, line 30).

Regarding claim 8, Miyauchi teaches desirability of monitoring various medical imaging equipment such as MRI, X-Ray, and CT scanning equipment (col. 1, lines 14-19).

3. Regarding remarks filed with the response on 6-24-10, on page 8 it is stated that references do not show transmission of image data. New reference to De La Torre-Bueno teaches transmission of image data.

On page 9 it is stated that references do not show use of low earth orbit transceiver. However, since transmission of data to remote sites by references is performed wirelessly, and in the case of Roman to use satellite transmission (col. 4, lines 4-13), choosing to use a low orbit satellite transmission system would have been obvious, merely depending on the desired characteristics of the monitoring system, there being no particular criticality to use of a low orbit system versus use of other satellite systems that would not have been obvious to one of ordinary skill in the art.

On page 12 it is stated that Miyauchi teaches use of a computer monitor, but Roman teaches sending data from a MRI monitor, and Medema teaches sending monitored data to a remote site as well (col. 7, lines 59-67).

Transmitting data from specific equipment would have been an obvious manner of intended use, depending on what type of information was desired to be monitored, there being no patentably distinguishing characteristics in transmitting one type of monitored information to a remote site versus another type of data.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A. Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-Th from 6:00 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Brent A Swarthout/
Primary Examiner, Art Unit 2612

Brent A Swarthout
Primary Examiner
Art Unit 2612